Application No.: 09/940,356

Response to Restriction Requirement dated August 6, 2003

Attorney Docket No.: 4441-0008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First-Named Inventor

BARDY, Gust H

Serial No.

09/940,356

Filing Date

August 27, 2001

Title

SUBCUTANEOUS ELECTRODE FOR TRANSTHORACIC

CONDUCTION WITH HIGHLY MANEUVERABLE

INSERTION TOOL

Group Art Unit

3762

Examiner

DROESCH, Kristen L

Commissioner for Patents PO Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class mail service in a post-paid envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on August 6, 2003.

RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 CFR §143 AND PURSUANT TO 35 USC §121

SIR:

In response to the Office Action dated May 7, 2003 containing a restriction requirement, the Applicant hereby elects Species 27, without traverse.

The Examiner indicated that this species is shown at least in Figs. 36(a) through and including 37(b).

In the opinion of the Applicant, the following claims read on this species: 1-184.

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Dated: August 6, 2003

New York, New York

Respectfully submitted,

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Βv

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